

Application No.: 09/941,979  
Amendment Dated: January 5, 2006  
Reply to Office Action of: October 20, 2005

MTS-3272US

**Remarks/Arguments:**

Claims 7, 8, 9 and 13 have been amended. No new material is introduced herein. Claims 1-15 are pending.

Applicants acknowledge with appreciation the Examiner's finding that claims 1-7, 9-12, 14 and 15 are allowed.

Claims 8 and 13 have been rejected under 35 U.S.C. §102(e) as being anticipated by Freedland (U.S. Pat. No. 6,148,175). It is respectfully submitted, however, that these claims are now patentable over the cited art for the reasons set forth below.

Claim 8, as amended, includes features neither disclosed nor suggested by the cited art, namely:

...a transmission means of selecting modulation systems having a plurality of bits to be encoded for a plurality of signals and of transmitting said plurality of signals using the selected modulation systems...

...communication paths for transmitting said plurality of signals...

...a plurality of reception means, each associated with a respective transmitted signal, wherein the smaller a substantial distance between said transmission means and said plurality of reception means along said communication paths is the higher the number of bits is...(Emphasis Added)

Claim 8 has been amended to include some features from allowable claim 9.

Freedland discloses a signal distribution unit (130) in Figure 1 where the reception portion (146) of the signal distribution unit may include multiple receivers. The signal distribution unit can receive signals from remote stations (110) through differing modulation schemes (Col. 3, lines 40-41). Each receiver is tuned to a transmit frequency of a remote station. Reception portion (146) may be formed of a single wide band receiver capable of detecting and demodulating a plurality of individual carriers, where each carrier is at a distinct frequency (col. 3, lines 47-55). Freedland does not disclose or suggest Applicants claimed features of "a transmission means of selecting modulation systems having a plurality of bits to be encoded for a plurality of signals" and "the smaller a substantial distance between said transmission

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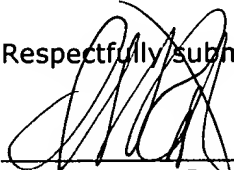
MTS-3272US

plurality of signals" and "the smaller a substantial distance between said transmission means and said plurality of reception means along said communication paths is the higher the number of bits is" (emphasis added). Freedland is silent regarding selecting modulation systems based on a number of bits to be encoded and that there is a relationship between the number of bits and the distance between the transmission means and the reception means. Thus, Freedland does not include all of the features of amended claim 8. Accordingly, allowance of claim 8 is respectfully requested.

Claim 13 has been amended. Although not identical to claim 8, claim 13 includes features similar to amended claim 8 which are not disclosed or suggested in the cited art, namely: "selecting modulation systems having a plurality of bits to be encoded for a plurality of signals on a transmission side" and "the smaller a substantial distance between said transmission side and each of said plurality of reception sides along said communication paths is, the higher the number of bits is." Freedland is discussed above and is silent regarding these features. Accordingly, allowance of claim 13 is respectfully requested.

In view of the amendments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

  
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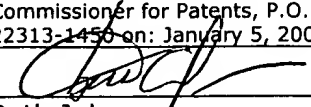
AR/bj

Dated: January 5, 2006

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